

**7994. Adulteration and misbranding of butter. U. S. \* \* \* v. 267 Tubs of Butter. Consent decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 11024. I. S. No. 7727-r. S. No. C-1389.)**

On July 26, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 267 tubs of butter, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about July 17, 1919, by the J. M. [F. J.] Mumm Co., St. Paul, Minn., and transported from the State of Minnesota into the State of Illinois, and charging adulteration and misbranding under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that excessive water had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and that a substance deficient in milk fat and high in moisture had been substituted in part for butter. Adulteration was alleged for the further reason that a valuable constituent, to wit, butter fat, had been in part abstracted from said article of food.

Misbranding of the article was alleged for the reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, butter.

On November 1, 1919, J. M. [F. J.] Mumm Co., claimant, having filed an answer admitting, for the purposes of this proceeding, the material allegations of the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000 in conformity with section 10 of the act, conditioned in part that said product be reprocessed under supervision of this department in such a manner as to remove the excess water from the article.

E. D. BALL, *Acting Secretary of Agriculture.*

**7995. Adulteration and misbranding of peanut oil. U. S. \* \* \* v. 50 Cases of 1-Gallon Cans, 25 Cases of 1-Quart Cans, 10 Cases of 1-Pint Cans, and 15 Cases of ½-Pint Cans of Alleged Peanut Oil. Consent decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 11028 I. S. No. 2195-r. S. No. W-453.)**

On July 29, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of 1-gallon cans, 25 cases of 1-quart cans, 10 cases of 1-pint cans, and 15 cases of ½-pint cans of alleged peanut oil, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about October 26, 1918, by the Old Monk Olive Oil Co., Chicago, Ill., and transported from the State of Illinois into the State of California, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Huile d'Arachides Marcella Brand Extra Superfine (Nut Oil) Packed by The Transatlantic Company, Chicago, New York Marcella Huile d'Arachides is the finest grade of pure Virgin Peanut Oil."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with, and substituted wholly or in part for, peanut oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements borne on said cans with respect to the article and the ingredients and substances contained therein were false and misleading and deceived and misled the pur-